

or defendant respectively, on which report judgment shall be entered, as well for the costs as the damages, and execution shall issue as in other cases: any thing in the second section of the act entitled, "An act regulating the proceedings of justices of the peace and aldermen, in cases of trespass, trover and rent," passed the twenty-second day of March, one thousand eight hundred and fourteen, or in any other act to the contrary notwithstanding.

REES HILL, *Speaker*
of the *House of Representatives*.

JOHN TOD, *Speaker of the Senate*.

APPROVED—the thirteenth day of February, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER XXXVIII.

An ACT enabling the governor to incorporate a company for making an artificial road from the state line near the town of Emmetsburg, in the state of Maryland, to intersect the Chambersburg and Bedford turnpike road at or near Loudontown, in Franklin county.

SECT. I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* William Miller, William Bools, Emanuel Stover, John M'Lain, Lazarus Brown, Benjamin Kyser, Alexander M'Coy, Jeremiah Hamilton, James M'Dowell and Thomas Scott, be, and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say, They shall, on or before the first Monday in June next, procure one or more books and in each of them enter as follows: "We whose names are hereunto subscribed, do promise to pay to the president and managers of the Loudontown turnpike road company, the sum of one hundred dollars for every share of stock in said company set opposite our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An act enabling the governor to incorporate a company for making an artificial road from the state line near the town of Emmetsburg, in the state of Maryland, to intersect the Chambersburg and Bedford turnpike road at or near Loudontown, in Franklin county;" and shall thereupon give notice in all of the public papers printed in the borough of Chambersburg, and one published in the borough of Gettysburg, respectively, for one calendar month at least, of the times and places when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places some one or

Commissioners named.

Price of shares.

Route of the road.

Notice to be given, &c.

more of the said commissioners shall attend, and permit all persons of lawful age, who shall offer to subscribe in the said books in their own name, or the names of any other persons who shall duly authorise the same, for any number of shares in the said stock; and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every juridical day for the space of three days if necessary, or until the said books shall have one thousand five hundred shares therein subscribed, and if at the expiration of the said three days, the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the said books elsewhere until the whole number of shares shall be subscribed, of which adjournments and transfer the said commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares subscribed in all the books shall amount to the number aforesaid the same shall be closed: *Provided always*, That every person offering to subscribe in the said books, in his own or any other name, shall previously pay to the attending commissioners, the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking such subscriptions, and other incidental charges, and the remainder shall be paid over to the treasurer of the said company, as soon as the same shall be organized and the officers chosen as herein after mentioned.

Of who may subscribe.

Books may be transferred.

Proviso. \$5 to be paid on each share, &c.

SECT. II. *And be it further enacted by the authority aforesaid*, That when fifty persons or more shall have subscribed six hundred shares or more of the said stock, the said commissioners, or a majority of them, may, or when the whole number of shares aforesaid shall be subscribed, they shall certify to the governor, under their hands, the names of the subscribers and the number of shares subscribed by each, whereupon he shall, by letters patent, under his hand and seal of the state, create and erect the subscribers, and if the subscriptions be not full at the time then also those who shall thereafter subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of "The President, Managers and Company of the Loudontown Turupike road," and by the same name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intention of this act; and of purchasing, taking and holding to them and their successors and assigns, in fee simple or for any lesser estate, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works; and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

When letters patent may issue.

Style of corporation.

Powers and privileges.

SECT. III. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid, as soon as conveniently

30 days notice to be given of the time of organization.

What officers to be chosen.

Make by-laws, &c.

Tract of the road.

Company have like powers and subject to like restrictions as the Waynesburg, &c. company.

Provide as to the time of commencing and completing the road.

may be after the said letters patent shall be obtained, shall give thirty days notice in the public papers aforesaid, of the time and place by them appointed for the said subscribers to meet in order to organize the said corporation, and shall choose by a majority of the said subscribers, by ballot to be delivered in person or by proxy duly authorised, one president and twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year and until such other officers shall be chosen ; and shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of the United States or of this state, as shall be necessary for the well ordering of the affairs of the said company, and generally have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road ; and shall have power to survey, lay down, ascertain, mark and fix such route, beginning at the Maryland line near Em-metsburg, or any point between that and Waynesburg as a majority of the managers shall deem most expedient, and ending at Loudonstown in the county of Franklin ; and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits, in proportion to the distance, as are given and granted to the president, managers and company of the Waynesburg, Greencastle and Mercersburg turnpike road : *Provided*, That if the company shall not proceed to carry on the said work in five years after the passing of this act, or shall not within ten years afterwards complete the said road, according to the true intent and meaning of this act, then in either of these cases all and singular the rights, liberties and franchises hereby granted to the said company shall revert to this commonwealth.

REES HILL, *Speaker of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of February, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER XXXIX.

An ACT concerning the sale of a tract of land of which John Burnside died possessed.

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the orphans' court of the county of Chester, shall proceed upon the petition of the administrators of the estate of John Burnside, for the sale of a certain tract of land held in his name, situat-*